REMARKS

Applicants have carefully reviewed the Final Office Action dated May 3, 2005, and Advisory Action dated September 14, 2005, and Applicants respectfully requests reconsideration of the present application in view of the following remarks. This paper is timely in that it is accompanied by a Petition to a TWO Month Extension of Time

I. **Claim Rejections under 35 U.S.C. § 102**

The Final Office Action dated May 3, 2005 asserts that claims 3, 4, 7, 8, 10, and 12-14 have been rejected under 35 U.S.C. 102(b) as being anticipated by Alfnaar et al. (U.S. Patent No. 4,127,648). In response, Applicants contended that the reference does not teach, disclose, or suggest "a mixture of metals." However, Advisory Action asserts that "in response to Applicants' arguments that Alfenaar et al. does not teach, disclose, or suggest "a mixture of metals", Applicants' claims are not seen to recite "mixtures", either.

As a preliminary matter, by the foregoing amendments, claims 3, 4, 7, 8 and 16 have been amended to recite the phrase "a mixture," as Advisory Action indicates.

Claims 3, 4, 10, 13 and 14

Claim 3 is directed to an anode catalyst for a fuel cell comprising: a mixture of gold fine particles, and at least one member selected from the group consisting of gallium, indium and the oxides of these metals.

Alfnaar at al. arguably discloses a process for preparing a metal electrode. However, Alfnaar et al. does not disclose, teach or suggest "a mixture of gold fine particles, and at least one member selected from the group consisting of gallium, indium and the oxides of these metals." That is, it discloses only mixtures of "alloying elements" but not a mixture of "metals" as recited in claim 3. Thus, the applied art does not disclose, teach or suggest the features of claim 3. Accordingly, withdrawal of this rejection and allowance of the claim is respectfully requested.

Since claims 4, 10, 13 and 14 depend on independent claim 3, they are allowable for at least same reasons that claim 3 is allowable. Withdrawal of the rejection and allowance of these claims is respectfully requested.

Claims 7, 8, and 12-14

Claim 7 is directed to an anode catalyst for a fuel cell comprising: a mixture of gold fine particles; at least one member selected from the group consisting of gallium, indium, and the oxides of these metals; and at least one member selected from the group consisting of platinum, ruthenium, and ruthenium oxides.

Alfnaar at al. arguably discloses a process for preparing a metal electrode. However, Alfnaar et al. does not disclose, teach or suggest "a mixture of these metals." Alfnaar et al. discloses only mixtures of "alloying elements" but not a mixture of "metals" as recited in claim 7. Thus, the applied art does not disclose, teach or suggest the features of claim 7. Accordingly, withdrawal of this rejection and allowance of the claim is respectfully requested.

Since claims 8, 12, 13, and 14 depend on independent claim 7, they are allowable for at least same reasons that claim 7 is allowable. Withdrawal of the rejection and allowance of these claims is respectfully requested.

IV. Claim Rejections under 35 U.S.C. §103

Claims 16 and 18 are rejected under 35 U.S.C. §103(a) as being unpatentable over Alfenaar et al. This rejection is respectfully traversed at least for the following reasons.

Claim 16 is directed to An anode for a fuel cell comprising: a first layer whose catalyst component is one of: (1) gold fine particles, (2) a mixture of gold fine particles and at least one member selected from a first group consisting of titanium, vanadium, gallium, zirconium, niobium, cerium, tantalum, indium, and the oxides of these metals, (3) a mixture of gold fine particles and at least one member selected from a second group consisting of platinum, ruthenium, and ruthenium oxides, and (4) a mixture of gold fine particles, at least one member

selected from the first group and at least one member selected from the second group, wherein the first layer is formed on a platinum catalyst layer.

Alfnaar at al. arguably discloses a process for preparing a metal electrode. However, Alfnaar et al. does not disclose, teach or suggest that the first layer is formed on a platinum catalyst layer.

Thus, the applied art does not disclose, teach or suggest the features of claim 16. Accordingly, withdrawal of this rejection and allowance of the claim is respectfully requested.

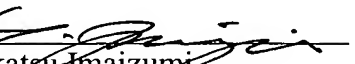
Since claim 18 depends on independent claim 16, it is allowable for at least same reasons that claim 16 is allowable. Withdrawal of the rejection and allowance of these claims is respectfully requested.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. AIS-0010 from which the undersigned is authorized to draw.

Dated: September 30, 2005

Respectfully submitted,

By 
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